

March 3, 1949, the court suspended the imposition of sentence and placed the defendant on probation for 1 year.

2844. Misbranding of Raymond K. Auville's Ultra Natural Health Food Combination No. 4. U. S. v. 3 Cartons * * *. (F. D. C. No. 23902. Sample No. 6204-K.)

LIBEL FILED: November 7, 1947, Western District of Pennsylvania.

ALLEGED SHIPMENT: During July 1947, by Raymond K. Auville, from Kerens, W. Va.

PRODUCT: 3 3-ounce cartons of *Raymond K. Auville's Ultra Natural Health Food Combination No. 4* at South Heights, Pa.

LABEL, IN PART: "Raymond K. Auville's Ultra Natural Health Food Combination No. 4—New Formula * * * Contents: Approximate measurement of ingredients; wild cherry leaves, three parts; wild Indian heart leaves, one part; walnut leaves, one part; wild cherry bark, two parts; may apple root, one part; red root, one half one part; red root, trace; vine fern, one half one part; alum root, one half one part; prickly ash bark, trace."

NATURE OF CHARGE: Misbranding, Section 502 (a), the label statements "Health Food * * * Natural Health Food * * * nutritional aid for the naturalization of the blood stream" were false and misleading since the article would not maintain health in those who are healthy or restore health to those who are unhealthy, and it would not make natural the blood stream.

DISPOSITION: September 21, 1949. Default decree of condemnation and destruction.

2845. Misbranding of Rocky Dell Water. U. S. v. 104 Bottles, etc. (F. D. C. No. 27262. Sample No. 24775-K.)

LIBEL FILED: May 24, 1949, Southern District of Iowa.

ALLEGED SHIPMENT: By Rocky Dell Springs, Inc., from Woodman, Wis. The product was shipped on or about March 31, 1949, and a number of small leaflets were shipped in October 1947.

PRODUCT: 104 ½-gallon bottles of *Rocky Dell Water* at Davenport, Iowa, in possession of Harry B. Sulzer, together with 300 small leaflets entitled "Let Nature Help You," which were shipped as described above, and 600 large leaflets with the same title, which were printed locally for Mr. Sulzer.

LABELING, IN PART: (Leaflets) "Constituent Parts per Million Silica (SiO₂) 14.90 Iron and aluminum oxides (Fe₂O₃ and Al₂O₃) 0.60 Calcium (Ca) 49.02 Magnesium (Mg) 15.74 Sodium and Potassium (as sodium, Na) 4.50 Chloride (Cl) 2.75 Sulphate (SO₄) 10.32 Nitrate (NO₃) 2.83 Nitrate (NO₂) None Phosphate (PO₄) 0.24 Bicarbonate (HCO₃) 322.5 Total hardness 187.1 Dissolved solids 271.0."

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements in the small leaflets were false and misleading since they represented and suggested that the article would be efficacious in the cure, mitigation, and treatment of kidney and bladder trouble and many common ailments caused from such disorders, whereas the article would not be efficacious for such purposes. The article was misbranded in these respects when introduced and while in interstate commerce.